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REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-SEVENTH SESSION

First session of the Board of Trustees of the United Nations Voluntary Fund on Contemporary Forms of Slavery 1/

Report of the Secretary-General

1/ The first session of the Board of Trustees was held from 22 to 26 March 1993. For administrative reasons, no report was issued after the first session. At the second session of the Board of Trustees, held from 28 August to 1 September 1995, the members of the Board requested the Secretariat to issue the report on the first session as a document of the Commission on Human Rights. The present document is issued in pursuance of that request.

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Introduction

1. Since its inception, the United Nations has always been committed to the abolition or elimination of slavery and related practices in all their forms and in every part of the world. Since 1949 the matter has been taken up by the Economic and Social Council, the Commission on Human Rights and, subsequently, the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Despite a plethora of recommendations, decisions and other pronouncements, it was not until 1974 that the Working Group on Slavery, comprising five members of the Sub-Commission, was set up. And yet, constant efforts in the field of slavery notwithstanding, slavery is not dead. Quite the reverse: the traffic in and sale of human beings are flourishing. International prostitution rings are growing more powerful, and the exploitation of workers in debt servitude is becoming organized and is spreading. New forms of slavery are emerging, and the international community generally lacks the wherewithal to tackle this all too widespread scourge.

2. Slavery tramples the basic rights of the individual underfoot. Worse, most of the time it is women, children and other vulnerable segments of the population who are the victims of slavery-like practices.

3. To help non-governmental organizations concerned with slavery in different parts of the world to attend the Working Group on Contemporary Forms of Slavery at Geneva and to provide assistance to the victims of slavery, the United Nations General Assembly decided, in its resolution 46/122 of 17 December 1991, to set up a voluntary trust fund on contemporary forms of slavery.

Mandate

4. As established under General Assembly resolution 46/122, the purposes of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery are:

> First, to assist representatives of non-governmental organizations from different regions, dealing with issues of contemporary forms of slavery, to participate in the deliberations of the Working Group on Contemporary Forms of Slavery by providing them with financial assistance;
>
> Second, to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery. Funding shall be obtained by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities.

Administration

5. The Fund is managed by the United Nations Secretariat - specifically, by the Centre for Human Rights at Geneva. It is administered in accordance with the Financial Regulations and Rules of the United Nations and other regulations where relevant, subject to the advice of a Board of Trustees composed of five persons with relevant experience in the field of human rights and contemporary forms of slavery in particular, serving in their personal

capacity; they are appointed by the Secretary-General, in consultation with the current Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, with due regard to equitable geographical distribution, for three-year renewable terms.

6. In accordance with General Assembly resolution 46/122 and paragraph 3 of Commission on Human Rights resolution 1992/46 of 3 March 1992, the Secretary-General, after consultations with the Chairman of the forty-third session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, decided to appoint the following five members for a five-year term (until 31 December 1995): Mr. Swami Agnivesh (India), Mr. Michel Bonnet (France), Mr. Cheikh Saad-Bouh Kamara (Mauritania), Mrs. Tatiana Matveeva (Russian Federation) and Mrs. Eugenia Zamora Chavarria (Uruguay).

A. First session of the Board of Trustees

7. The first session of the Board of Trustees was held at Geneva from 22 to 26 March 1993 and was attended by the five members (see para. 6 above).

8. The session was opened by the Assistant Secretary-General for Human Rights, who made a statement.

9. At its 1st meeting, on 22 March 1993, the Board adopted the following agenda:

1. Opening of the meeting.

2. Election of officers.

3. Adoption of the agenda.

4. Organization of work.

5. Consideration of applications for financial aid in order to attend the discussions of the Working Group on Contemporary Forms of Slavery.

6. Consideration of humanitarian, legal and financial aid through established channels to persons whose human rights have been severely violated by contemporary forms of slavery.

7. Other matters.

10. After introducing themselves, the members of the Board gave brief accounts of their experience, in the field of human rights and contemporary forms of slavery in particular.

11. On 22 March, under agenda item 4, the Board adopted a plan of work. It decided to devote its meetings on 23 and 24 March to clarifying its mandate and the various concepts it encompassed, and the meetings on 25 and 26 March to the discussion of agenda items 5, 6 and 7.

12. After considering the documents submitted by the Secretariat, the Board formally requested the Assistant Secretary-General to provide it with information which could be of use to it in the execution of its mandate. Such information should of course take account of the latest developments in the General Assembly, the Economic and Social Council, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Rights of the Child, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and all other human rights bodies.

13. In its resolution 46/122, the General Assembly appealed to all Governments to respond favourably to requests for contributions to the Fund. In its resolution 1993/26 of 5 March 1993, the Commission on Human Rights in turn appealed to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund, if possible on a regular basis. It requested the Secretary-General to transmit to all Governments the appeal of the Commission on Human Rights for contributions to the Fund, and to make use of all existing possibilities to assist the Board of Trustees of the Fund, inter alia, through the preparation, production and dissemination of information material, in its efforts to make the Fund and its humanitarian work better known.

14. The members of the Board voiced dismay at the alarming state of the Fund's finances. Unless the Fund received substantial funds quickly, the Board would be unable to carry out its task and, more serious still, the survival of the Fund would be imperilled. Recognizing the gravity of the situation, but convinced of the importance of the issue of contemporary forms of slavery, the Board members announced that they were prepared, individually and collectively, to support the Secretary-General's efforts to finance the Fund. After the session, the Board was able to establish a fruitful preliminary dialogue with some 20 representatives of Governments.

15. At its 1st meeting, the Board decided to hold a press conference at the end of the session, with the aim of making the Fund and its activities more widely known.

16. On 23 March 1993, the Board expressed deep appreciation to the Government of the Netherlands for its initial contribution to the Fund and requested the Assistant Secretary-General for Human Rights to convey its thanks officially to the Government of the Netherlands.

17. The members of the Board decided to contact permanent missions to the United Nations Office at Geneva and Geneva-based non-governmental organizations to encourage them to make financial contributions. A meeting with potential donors was planned to take place as soon as possible.

18. The Board decided to work actively with non-governmental organizations concerned with contemporary forms of slavery and with United Nations specialized agencies and intergovernmental bodies in order to mobilize maximum moral and material support for its efforts to carry out its mandate to best effect.

19. The Board found the guidelines drawn up by the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture very useful (see E/CN.4/1993/23, annexes II, III, IV and V).

20. At the invitation of the Board the secretary of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture attended a meeting to explain certain aspects of the guidelines and describe the United Nations Voluntary Fund for Victims of Torture.

B. Sources of financing

21. The Board decided that the Fund should receive contributions from both Governments and from non-governmental organizations, private institutions and individuals.

22. To date, the only contribution received had been the initial one of 50,000 florins from the Government of the Netherlands to enable the first session of the Board of Trustees of the Fund to take place.

C. Beneficiaries

23. Under the terms of General Assembly resolution 46/122, the only beneficiaries from the Fund shall be:

(a) Representatives of non-governmental organizations dealing with issues of contemporary forms of slavery:

Who are so considered by the Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery;

Who would not, in the opinion of the Board of Trustees, be able to attend the sessions of the Working Group on Contemporary Forms of Slavery without the assistance provided by the Fund;

Who would be able to contribute to a deeper knowledge on the part of the Working Group of the problems relating to contemporary forms of slavery;

(b) Individuals whose human rights have been severely violated as a result of contemporary forms of slavery and who are so considered by the Board of Trustees.

24. Under its mandate, the Board of Trustees must consider any applications for assistance submitted to it and make appropriate recommendations to the Secretary-General. The better to carry out its mandate, the Board decided to use the definition of contemporary forms of slavery adopted by the Working Group on Contemporary Forms of Slavery. Thus, for an application for assistance to be successful, it must emanate from an organization dealing with one of the following:

(a) The sale of children, child prostitution and child pornography;

(b) Exploitation of child labour and debt servitude;

(c) The traffic in human beings and exploitation of the prostitution of others;

(d) Slavery and the slave trade;

(e) The slavery-like practices of apartheid and colonialism;

(f) Child soldiers;

(g) Commercial transplants of children's organs;

(h) Other instances of contemporary forms of slavery.

25. Organizations and individuals intending to seek assistance from the Fund must submit to the Board of Trustees a completed application form, providing the information requested on the form. The Board will consider applications confidentially and will submit its recommendations to the Secretary-General for his decision.

26. Organizations and individuals seeking assistance from the Fund will be notified by post of the Secretary-General's decision. If financial aid is granted, the sum in question will be transferred to the bank account specified by the beneficiary on the application form. The beneficiary must acknowledge receipt of that amount and, by 31 December of the same year, provide a report indicating how the amount awarded has been put to use.

27. Aid applications are to be sent to the Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Centre for Human Rights, United Nations Office at Geneva, CH-1211 Geneva 10, Switzerland.

D. Recommendations

28. The Board decided to work closely with the Working Group on Contemporary Forms of Slavery, and to organize its work and meetings to take account of the Working Group's schedule.

29. The Board therefore requested the secretariat to seek permission from the Chairman of the Working Group for a member of the Board of Trustees to attend the next session of the Group, which would take place from 17 to 21 May 1993.

30. In view of the Fund's financial situation, the Board requested Mr. Michel Bonnet, its only member based in Geneva, to attend that session of the Working Group.

E. Conclusion

31. After the first session of the Board of Trustees of the Voluntary Trust Fund on Contemporary Forms of Slavery, the Voluntary Fund received a number of contributions, but had not accumulated enough funds to enable the Board to meet for its second session. It was obliged to postpone its second session, scheduled for February or March 1994, to 28 August to 1 September 1995. In the meantime, no assistance was provided from the Fund.